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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/787,357	02/25/2004	Yuji Kinuzawa	FUJMO 20.952	4863

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EXAMINER	
MILLER, BRANDON J	

ART UNIT	PAPER NUMBER
2617	

MAIL DATE	DELIVERY MODE
09/13/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/787,357	KINUZAWA ET AL.	
	Examiner	Art Unit	
	Brandon J. Miller	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *09 August 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-7,10,11,17-21 and 24* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-7,10,11,17-21 and 24* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *25 February 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

1. Claims 1-7, 10-11, 17-21, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nagai (US 5,689,824) in view of Guetre et al. (US 2004/0204189 A1).

Regarding claim 1 Nagai teaches a movable radio communication apparatus (see col. 2, lines 25-28). Nagai teaches a speaker that outputs sounds and a first housing that accommodates the speaker (see col. 3, lines 43-45 and FIG. 2). Nagai teaches a second housing coupled to the first housing and foldable relative to the first housing (see col. 3, lines 40-43 and FIG. 2). Nagai teaches a mechanism that flips the second housing and wherein the second housing is coupled rotatably to the first housing (see col. 4, lines 31-39). Nagai teaches wherein the mechanism includes a forcing part that applies force to the second housing so as to keep the second housing from the first housing (see col. 3, lines 49-54). Nagai teaches a fixing part that fixes the second housing onto the first housing (see col. 4, lines 19-30). Nagai teaches a moving part movable between the first and second positions, and forced to return from the second position to the first position, the moving part when located at the second position, releasing a fixation of the second housing by the fixing part, and the moving part when located at the first position, enabling the fixing part to fix the second housing (see col. 4, lines 25-40 and FIGS. 1-2). Nagai does not

specifically teach an antenna part that communicates with an external apparatus and a second housing accommodating an antenna. Guetre teaches an antenna part that communicates with an external apparatus and a housing accommodating the antenna (see paragraph [0025]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the device in Nagai adapt to include an antenna part accommodated in the second housing because it is well known in the art that portable telephone devices like the one in Nagai use antennas to communicate with external devices.

Regarding claim 2 Nagai teaches an operational part that inputs communication information, wherein the second housing is provided opposite to the operation part with respect to the speaker (see col. 3, lines 40-46 and FIG. 2).

Regarding claim 3 Nagai teaches the second housing forming an angle between 90 degrees and 135 degrees relative to the first housing (see col. 3, lines 40-43 and FIG. 2).

Regarding claim 4 Nagai teaches a display that displays communication information (see col. 3, lines 40-43 and FIG. 2).

Regarding claim 5 Guetre teaches a housing that accommodates a GPS antenna (see paragraph [0034]).

Regarding claim 6 Guetre teaches a housing that accommodates a Bluetooth antenna (see paragraph [0034]).

Regarding claim 7 Guetre teaches a housing that accommodates an image pickup device (see paragraph [0045]).

Regarding claim 10 Nagai teaches wherein the moving part is provided onto the first housing (see col. 4, lines 31-39 and FIG. 2).

Regarding claim 11 Nagai teaches a movable radio communication apparatus (see col. 2, lines 25-28). Nagai teaches a speaker that outputs sounds and a first housing that accommodates the speaker (see col. 3, lines 43-45 and FIG. 2). Nagai teaches an operation part that inputs communication information (see col. 3, lines 40-45). Nagai teaches a second housing, provided opposite to the operation part with respect to the speaker, coupled to the first housing and foldable relative to the first housing (see col. 3, lines 40-43 and FIG. 2). Nagai teaches a mechanism that flips the second housing and wherein the second housing is coupled rotatably to the first housing (see col. 4, lines 31-39). Nagai teaches wherein the mechanism includes a forcing part that applies force to the second housing so as to keep the second housing from the first housing (see col. 3, lines 49-54). Nagai teaches a fixing part that fixes the second housing onto the first housing (see col. 4, lines 19-30). Nagai teaches a moving part movable between the first and second positions, and forced to return from the second position to the first position, the moving part when located at the second position, releasing a fixation of the second housing by the fixing part, and the moving part when located at the first position, enabling the fixing part to fix the second housing (see col. 4, lines 25-40 and FIGS. 1-2). Nagai does not specifically teach the second housing accommodating at least one of a GPRS antenna, a Bluetooth antenna and an image pickup device. Guetre teaches housing accommodating at least one of a GPRS antenna, a Bluetooth antenna and an image pickup device (see paragraph [0034]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the device in Nagai adapt to include the second housing accommodating at least one of a GPRS antenna, a Bluetooth antenna and an image pickup device because it is well known in the art that

portable telephone devices like the one in Nagai use antennas to communicate with external devices.

Regarding claim 17 Nagai and Guetre teach a device as recited in claim 10 and is rejected given the same reasoning as above.

Regarding claim 18 Nagai teaches a movable radio communication apparatus (see col. 2, lines 25-28). Nagai teaches a speaker that outputs voices and a first housing that accommodates the speaker (see col. 3, lines 43-45 and FIG. 2). Nagai teaches a second housing coupled to the first housing and movable or displaceable relative to the first housing (see col. 3, lines 40-43 and FIG. 2). Nagai teaches a mechanism that flips the second housing and wherein the second housing is coupled rotatably to the first housing (see col. 4, lines 31-39). Nagai teaches wherein the mechanism includes a forcing part that applies force to the second housing so as to keep the second housing from the first housing (see col. 3, lines 49-54). Nagai teaches a fixing part that fixes the second housing onto the first housing (see col. 4, lines 19-30). Nagai teaches a moving part movable between the first and second positions, and forced to return from the second position to the first position, the moving part when located at the second position, releasing a fixation of the second housing by the fixing part, and the moving part when located at the first position, enabling the fixing part to fix the second housing (see col. 4, lines 25-40 and FIGS. 1-2). Nagai does not specifically teach an antenna part that communicates with an external apparatus and a second housing accommodating an antenna. Guetre teaches an antenna part that communicates with an external apparatus and a housing accommodating the antenna (see paragraph [0025]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the device in Nagai adapt to include an antenna part accommodated

in the second housing because it is well known in the art that portable telephone devices like the one in Nagai use antennas to communicate with external devices.

Regarding claim 19 Nagai and Guetre teach a device as recited in claim 5 and is rejected given the same reasoning as above.

Regarding claim 20 Nagai and Guetre teach a device as recited in claim 6 and is rejected given the same reasoning as above.

Regarding claim 21 Nagai and Guetre teach a device as recited in claim 7 and is rejected given the same reasoning as above.

Regarding claim 24 Nagai and Guetre teach a device as recited in claim 10 and is rejected given the same reasoning as above.

Response to Arguments

2. Applicant's arguments with respect to claims 1-7, 10-11, 17-21, and 24 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brandon J. Miller whose telephone number is 571-272-7869. The examiner can normally be reached on Mon.-Fri. 8:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on 571-272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

August 24, 2007

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